

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 14 MAR 2011

----- x
UNITED STATES OF AMERICA :

- v. - :

JOSE LUIS ORTIZ HERNANDEZ, :

Defendant. :

PROTECTIVE ORDER

11 Cr. 46 (GBD)

----- x
GEORGE B. DANIELS, United States District Judge:

On the motion of the United States of America, by Preet Bharara, United States Attorney, by Timothy D. Sini, Assistant United States Attorney, and with the consent of defendant Jose Luis Ortiz Hernandez (the "defendant"), by his counsel, Sarah Baumgartel, Esq.,

IT IS HEREBY ORDERED:

1. The following materials are deemed "Confidential Information":

a. Discovery materials produced -- whether in paper or electronic form -- by the government in this action pursuant to Federal Rule of Criminal Procedure 16 reflecting the call detail records of the cellular phone used by the individuals identified as "CW-1" and "CW-2" in the Complaint filed in this action, including, but not limited to, the compact disc bate stamped 000000042; and

b. Discovery materials produced -- whether in paper or electronic form -- by the government in this action

pursuant to Federal Rule of Criminal Procedure 16 reflecting the phone number belonging to the cellular phone used by CW-1 and CW-2, including, but not limited to, the document bate stamped 000000012.

2. Confidential Information disclosed to the defendant or his counsel during the course of proceedings in this action:

a. shall be used by the defendant or his counsel only for purposes of this action;

b. shall be kept in the sole possession of the defendant's counsel, and shall not be disclosed in any form by the defendant or his counsel except as set forth in paragraph 2(c) below;

c. may be disclosed by the defendant or his counsel only to the following persons (the "Designated Persons"):

i. investigative, secretarial, clerical, paralegal, and student personnel employed full-time or part-time by the defendant's counsel;

ii. independent expert witnesses, investigators, or advisors retained by the defendant in connection with this action;

iii. such other persons as hereafter may be authorized by the Court upon such motion by the defendant; and

d. shall be returned to the government following the conclusion of this case and any and all copies made of said material shall be shredded and destroyed.

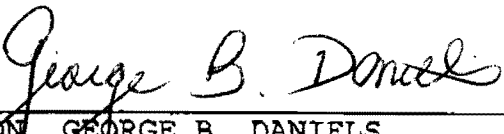
3. The defendant and his counsel shall provide a copy of this Order to Designated Persons to whom they disclose Confidential Information pursuant to paragraph 2(c). Designated Persons shall be subject to the terms of this Order.

4. The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial, or sentencing proceeding held in this action or to any judge or magistrate of this Court for purposes of this action.


SO ORDERED.

Dated: New York, New York
February __, 2011

16 MAR 2011


HON. GEORGE B. DANIELS
United States District Judge
Southern District of New York

AGREED AND CONSENTED TO:


SARAH BAUMGARTEL, ESQ.
Attorney for
Defendant Jose Luis Ortiz Hernandez


Date